

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

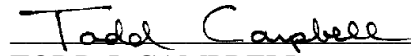
IN RE:)
AREDIA and ZOMETA PRODUCTS)
LIABILITY LITIGATION) NO. 3-06-MD-1760
) JUDGE CAMPBELL
This Document Relates To Case Number:)
03-06-0966(Wilson))

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 6568), Objections filed by the Plaintiff (Docket No. 6596), and Defendant's Response to Objections (Docket No. 6657). Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved.

Under the circumstances of this case, including counsel's filing of a Motion to Substitute Mr. Wilson when Mr. Wilson had been dead for four months and the resulting prejudice to the Defendant, the Court finds that the Magistrate Judge's recommendation is appropriate. Accordingly, this action is DISMISSED with prejudice.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE